

E-FILED ON SEPTEMBER 6, 2006

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Attorneys for Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

Chapter 11

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 Debtor.

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

Date: N/A
 Time: N/A

In re:
 USA SECURITIES, LLC,
 Debtor.

**NOTICE OF ENTRY OF STIPULATED
 ORDER EXTENDING THE DEBTORS'
 EXCLUSIVE PERIOD TO FILE A PLAN
 TO SEPTEMBER 15, 2006 (AFFECTS ALL
 DEBTORS)**

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC

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1 TO ALL PARTIES IN INTEREST:

2 PLEASE TAKE NOTICE THAT a Stipulated Order Extending the Debtors' Exclusive
3 Period to File a Plan to September 15, 2006 was entered on August 31, 2006, a copy of which is
4 attached hereto.

5 Dated: this 6th day of September, 2006.

6
7 /s/ Lenard E. Schwartzer, Esq
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CERTIFICATE OF SERVICE

1. On September 6, 2006, I served the following document(s):

a. Notice of Entry of Stipulated Order Extending the Debtors' Exclusive Period to File a Plan to September 15, 2006

2. I served the above-named document(s) by the following means to the persons as listed below:

☒ a. **By ECF System:**

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19 MATTHEW C. ZIRZOW bankruptcyntices@gordonsilver.com

20 ☐ b. **By United States mail, postage fully prepaid:**

21 ☐ c. **By Personal Service**

22 I personally delivered the document(s) to the persons at these addresses:

23 ☐ For a party represented by an attorney, delivery was made by handing the
24 document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or
25 other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place
26 in the office.

27 ☐ For a party, delivery was made by handing the document(s) to the party or by
28 leaving the document(s) at the person's dwelling house or usual place of abode with someone of
suitable age and discretion residing there.

☐ d. **By direct email (as opposed to through the ECF System)**

Based upon the written agreement to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. **By fax transmission**

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. **By messenger**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Signed on: September 6, 2006

REBECCA MOSS
(Name of Declarant)

/s/ REBECCA MOSS
(Signature of Declarant)



Entered on Docket
August 31, 2006

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:		Case No. BK-S-06-10725 LBR
USA COMMERCIAL MORTGAGE COMPANY,		Case No. BK-S-06-10726 LBR
	Debtor.	Case No. BK-S-06-10727 LBR
In re:		Case No. BK-S-06-10728 LBR
USA CAPITAL REALTY ADVISORS, LLC,		Case No. BK-S-06-10729 LBR
	Debtor.	Chapter 11
In re:		Jointly Administered Under
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,		Case No. BK-S-06-10725 LBR
	Debtor.	
In re:		Date: N/A
USA CAPITAL FIRST TRUST DEED FUND, LLC,		Time: N/A
	Debtor.	
In re:		

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1 USA SECURITIES, LLC,

Debtor.

2 Affects:

- 3 ☒ All Debtors
 4 ☐ USA Commercial Mortgage Company
 5 ☐ USA Securities, LLC
 6 ☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC

**STIPULATED ORDER EXTENDING THE
DEBTORS' EXCLUSIVE PERIOD TO
FILE A PLAN TO SEPTEMBER 15, 2006
(AFFECTS ALL DEBTORS)**

7 The matter before the Court is a Stipulation, evidenced by the signatures of undersigned
 8 counsel, between USA Commercial Mortgage Company, USA Capital Diversified Trust Deed
 9 Fund, LLC, USA Capital First Trust Deed Fund, LLC, USA Securities, LLC and USA Capital
 10 Realty Advisors, LLC (collectively, the "Debtors"), on the one hand, and the Official Committee
 11 of Equity Security Holders of USA Capital First Trust Deed Fund, LLC, the Official Committee of
 12 Executory Contract Holders of USA Commercial Mortgage Company, the Official Committee of
 13 Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC and the Official
 14 Committee of Unsecured Creditors for USA Commercial Mortgage Company (collectively, the
 15 "Committees"), on the other hand, extending the exclusive period set forth in 11 U.S.C. § 1121 for
 16 the Debtors to file a plan to September 15, 2006 in order to allow the Debtors and the Committees
 17 additional time to further negotiate terms of a plan (or plans) of reorganization for the Debtors.
 18 This is the second such stipulation. Pursuant to the first stipulated order extending exclusivity,
 19 which was entered by the Court on August 11, 2006 (docket no. 1139), the exclusive period for
 20 the Debtors to file a plan was extended from August 11, 2006 to August 31, 2006. The Court has
 21 considered the applicable authorities, including 11 U.S.C. § 1121(d)(1), and the basis for this
 22 stipulation, and for good cause appearing, it is

23 ORDERED that:

- 24 (1) The Stipulation is APPROVED;
 25 (2) The exclusive period set forth in 11 U.S.C. § 1121(b) is extended from August 31,
 26 2006 to September 15, 2006 (the "New Exclusivity Deadline"); and

1 (3) No extensions of the New Exclusivity Deadline shall be granted unless all of the
2 Committees consent to such an extension.

3
4
5 Submitted and approved by:

6 /s/ Annette W. Jarvis
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14 *Attorneys for Debtors*

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16 Approved by:
LEWIS AND ROCA, LLP

Approved by:
GORDON & SILVER, LTD.

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18 By: /s/ Rob Charles
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20 ROB CHARLES, ESQ.
21 *Counsel for the Official Committee of*
Unsecured Creditors of USA Commercial
Mortgage Company

By: /s/ Gerald M. Gordon
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Counsel for the Official Committee of
Holders of Executory Contract Rights of
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6 **ORRICK, HERRINGTON & SUTCLIFFE LLP**

Approved by:
STUTMAN TREISTER & GLATT, P.C. and
SHEA & CARLYON, LTD.

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